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November 13, 2024

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Via ECF


Hon. Jennifer L. Rochon, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Kamel v. Best Buy Co., Inc.
Case No.: 1:23-cv-00033 (JLR)
Our File No.: BBY-065

Defendant's request is DENIED. At the discovery conference on November 1, 2024, in the context of a late-disclosed document by Plaintiff, the Court informed counsel that it would not move the trial date. Discovery concluded months ago, extensions were granted to the parties to file pretrial materials, and the trial date has been set since August 2024. Defendant should issue any subpoenas necessary in order to prepare for commencement of trial on November 18, 2024.

SO ORDERED.

Date: November 13, 2024
New York, New York


JENNIFER L. ROCHON
United States District Judge

Dear Judge Rochon:

As you may know this firm represents defendant, Best Buy Co., Inc., in connection with the above. This matter is scheduled to start jury selection and trial on Monday, November 18, 2024. However, by this letter, Best Buy respectfully requests an adjournment of the same.

The basis of the adjournment is that Best Buy's principal witness (Mr. Damion Dowden), who plaintiff's counsel stated he would be calling in this case in chief, left his employment with Best Buy yesterday. I am attempting to determine the circumstances of that, but as of today, Mr. Dowden has cut off all communications with our office and Best Buy, and just before that, advised that he would not be appearing at trial.

Best Buy would like sufficient time to investigate the circumstances of Mr. Dowden's departure and attempt to subpoena him on a rescheduled trial date.

I have spoken to plaintiff's counsel within the hour, who does not consent to this request.

If Your Honor is inclined to grant this request, we ask for sufficient time to allow the defendant to cure the above issue as best as possible.

Thank you very much.

Respectfully yours,


Mitchell B. Levine

MBL/mg

cc: Michael James Prisco, Esq. (Via ECF)